

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4847)
TO REAUTHORIZE THE UNITED STATES FIRE ADMINIS-
TRATION, AND FOR OTHER PURPOSES

APRIL 2, 2008.—Referred to the House Calendar and ordered to be printed

Ms. SUTTON, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 1071]

The Committee on Rules, having had under consideration House Resolution 1071, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4847, the “United States Fire Administration Reauthorization Act of 2008,” under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology.

The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides that, in lieu of the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill, the amendment in the nature of a substitute printed in part A of this report shall be considered as an original bill for purpose of amendment and shall be considered as read. The resolution waives all points of order against the amendment in the nature of a substitute printed in part A of this report except those arising under clause 10 of rule XXI. This does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The resolution makes in order only those amendments printed in part B of this report. Amendments so printed may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by a proponent and an opponent, shall not be subject to

amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against such amendments except those arising under clause 9 or 10 of rule XXI.

The resolution provides one motion to recommit with or without instructions. Finally, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against the bill and its consideration (except those arising under clause 9 or 10 of rule XXI), the Committee is not aware of any points of order against the bill or its consideration. The waivers of all points of order against the bill and its consideration (except those arising under clause 9 or 10 of rule XXI) are prophylactic in nature.

SUMMARY OF AMENDMENT IN PART A PROPOSED TO BE MADE IN ORDER AS ORIGINAL TEXT

The amendment in the nature of a substitute makes changes to the findings in the bill, including changes to reflect 2006 statistics of fire deaths, injuries, and property losses. For each fiscal year, the amendment removes the specific authorization for activities pertaining to section 8 of the original Federal Fire and Prevention Control Act (PL 93-498) regarding research, development, and standards activities. In section 4 of the bill, regarding National Fire Academy Training Program Modifications and Reports, the amendment changes the type of organization the Administrator of the U.S. Fire Administration ("USFA") is authorized to contract with to deliver USFA training from organizations that "comply with national voluntary consensus standards" to organizations that "prepare fire service personnel to meet national voluntary consensus standards for fire service personnel." It changes the type of organization the Administrator is authorized to enter into contracts with from an organization that "operates a fire service training program accredited by a national recognized accreditation organization" to organizations that provide "training that leads to certification by a program accredited by a nationally recognized accreditation organization." It changes section 4 of the bill to provide that the incident command training course for fires at ports should not relate to border and port security. Finally, the amendment changes language requiring USFA to maintain an Internet database to strike "fire-related research" and substitute U.S. Fire Administration "funded activities to advance new knowledge and best practices in fire-fighting."

SUMMARY OF AMENDMENTS IN PART B TO BE MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Pascrell (NJ): The amendment would provide that the National Fire Academy Training Program could train fire service personnel in response, tactics, and strategies for dealing with national catastrophes, including terrorist-caused national catastrophes and incidents that involve weapons of mass destruction. (10 minutes)

2. Sali (ID): The amendment directs the Administrator, in collaboration with relevant Federal agencies and departments, to develop and provide information and training to such agencies and departments on the importance of clearing biomass in wildland areas of Federal lands to promote the safety of firefighters. (10 minutes)

3. Langevin (RI): The amendment is a non-binding resolution demonstrating congressional support for the adoption of fire sprinklers in commercial buildings. This amendment also would demonstrate congressional support for educational programs that raise awareness of the importance of installing fire sprinklers in residential buildings. (10 minutes)

PART A: TEXT OF AMENDMENT TO BE MADE IN ORDER AS ORIGINAL
TEXT

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Fire Administration Reauthorization Act of 2008”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The loss of life due to fire has dropped significantly over the last 25 years in the United States. However, the United States still has one of the highest fire death rates in the industrialized world. For 2006, the National Fire Protection Association reported 3,245 civilian fire deaths, 17,925 civilian fire injuries, and \$11,307,000,000 in direct losses due to fire.

(2) Every year, over 100 firefighters die in the line of duty. The United States Fire Administration should continue its leadership to help local fire agencies dramatically reduce these fatalities.

(3) Members of the fire service community should continue to work together to further the promotion of national voluntary consensus standards that increase firefighter safety.

(4) The United States Fire Administration provides crucial support to the Nation’s 30,300 fire departments through training, data collection, fire awareness and education, and other activities for improving fire prevention, control, and suppression technologies.

(5) The collection of data on fire and other emergency incidents is a vital tool both for policy makers and emergency responders to identify and develop responses to emerging hazards. Improving the United States Fire Administration’s data collection capabilities is essential for accurately tracking and responding to the magnitude and nature of the Nation’s fire problem.

(6) The research and development performed by the Federal Government and non-government organizations on fire technologies, techniques, and tools advance the capabilities of the Nation’s fire service to prevent and suppress fires.

(7) The United States Fire Administration is one of the strongest voices representing the Nation’s fire service within the Federal Government, and, as such, it should have a prominent place within the Federal Government.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR UNITED STATES FIRE ADMINISTRATION.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

- (1) in subparagraph (C), by striking “and” after the semicolon;
- (2) in subparagraph (D), by striking the period at the end and inserting a semicolon; and
- (3) by adding after subparagraph (D) the following new subparagraphs:
 - “(E) \$70,000,000 for fiscal year 2009;
 - “(F) \$72,100,000 for fiscal year 2010;
 - “(G) \$74,263,000 for fiscal year 2011; and
 - “(H) \$76,490,890 for fiscal year 2012.”.

SEC. 4. NATIONAL FIRE ACADEMY TRAINING PROGRAM MODIFICATIONS AND REPORTS.

(a) AMENDMENTS TO FIRE ACADEMY TRAINING.—Section 7(d)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2206(d)(1)) is amended—

- (1) in subparagraph (H), by striking “terrorist-caused national catastrophes” and inserting “national catastrophes”;
- (2) in subparagraph (K), by striking “forest” and inserting “wildland”;
- (3) in subparagraph (M), by striking “response tactics and” and inserting “response, tactics, and”;
- (4) by redesignating subparagraphs (I) through (N) as subparagraphs (M) through (R), respectively; and
- (5) by inserting after subparagraph (H) the following new subparagraphs:
 - “(I) response, tactics, and strategies for fighting large-scale fires or multiple fires in a general area that cross jurisdictional boundaries;
 - “(J) response, tactics, and strategies for fighting fires occurring at the wildland-urban interface;
 - “(K) response, tactics, and strategies for fighting fires involving hazardous materials;
 - “(L) advanced emergency medical services training;”.

(b) TRIENNIAL REPORTS.—Section 7 of such Act (15 U.S.C. 2206) is amended by adding at the end the following new subsection:

“(m) TRIENNIAL REPORT.—In the first annual report filed pursuant to section 16 for which the deadline for filing is after the expiration of the 18-month period that begins on the date of the enactment of the United States Fire Administration Reauthorization Act of 2008, and in every third annual report thereafter, the Administrator shall include information about changes made to the Academy curriculum, including—

- “(1) the basis for such changes, including a review of the incorporation of lessons learned by emergency response personnel after significant emergency events and emergency preparedness exercises performed under the National Exercise Program; and
- “(2) the desired training outcome of all such changes.”.

(c) AUTHORIZING THE ADMINISTRATOR TO ENTER INTO CONTRACTS TO PROVIDE ON-SITE TRAINING THROUGH CERTAIN ACCREDITED OR-

GANIZATIONS.—Section 7(f) of such Act (15 U.S.C. 2206(f)) is amended to read as follows:

“(f) ASSISTANCE.—

“(1) IN GENERAL.—The Administrator is authorized to provide assistance to State and local fire service training programs through grants, contracts, or otherwise.

“(2) AUTHORIZATION TO ENTER INTO CONTRACTS TO PROVIDE ON-SITE TRAINING THROUGH CERTAIN ACCREDITED ORGANIZATIONS.—

“(A) IN GENERAL.—The Administrator is authorized to enter into a contract with one or more nationally recognized organizations that have established on-site training programs that prepare fire service personnel to meet national voluntary consensus standards for fire service personnel and that facilitate the delivery of the education and training programs outlined in subsection (d)(1) directly to fire service personnel.

“(B) RESTRICTIONS.—The Administrator shall not enter into a contract with such organization unless such organization—

“(i) provides training that leads to certification by a program accredited by a nationally recognized accreditation organization; or

“(ii) at the time the Administrator enters into the contract, provides training under such a program under a cooperative agreement with a Federal agency.

“(3) RESTRICTION ON USE OF FUNDS.—The amounts expended by the Administrator to carry out this subsection in any fiscal year shall not exceed 4 percent of the amount authorized to be appropriated in such fiscal year pursuant to section 17 of this Act.”.

(d) INCIDENT COMMAND TRAINING COURSE FOR FIRES AT PORTS REQUIRED.—Not later than 2 years after the date of the enactment of this Act, the Administrator of the United States Fire Administration, in consultation with the Superintendent of the National Academy for Fire Prevention and Control, shall consolidate and integrate into the current Academy curriculum a course on incident command training for fire service personnel for fighting fires at United States ports and in marine environments, including fires on the water and aboard vessels. Such course shall not relate to border and port security.

SEC. 5. NATIONAL FIRE INCIDENT REPORTING SYSTEM UPGRADES.

(a) INCIDENT REPORTING SYSTEM DATABASE.—Section 9 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208) is amended by adding at the end the following new subsection:

“(d) NATIONAL FIRE INCIDENT REPORTING SYSTEM UPDATE.—Of the amounts made available pursuant to subparagraphs (E), (F), and (G) of section 17(g)(1), the Administrator shall use no more than an aggregate amount of \$5,000,000 during the 3-year period consisting of fiscal years 2009, 2010, and 2011 to carry out activities necessary to update the National Fire Incident Reporting system to an Internet-based, real-time incident reporting database, including capital investment, contractor engagement, and user education.”.

(b) TECHNICAL CORRECTION.—Section 9(b)(2) of such Act (15 U.S.C. 2208(b)(2)) is amended by striking “assist State,” and inserting “assist Federal, State,”.

SEC. 6. FIRE TECHNOLOGY ASSISTANCE AND DISSEMINATION.

(a) ASSISTANCE TO FIRE SERVICES FOR FIRE PREVENTION AND CONTROL IN WILDLAND-URBAN INTERFACE.—Section 8(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2207(d)) is amended—

(1) by striking “RURAL ASSISTANCE” in the heading and inserting “RURAL AND WILDLAND-URBAN INTERFACE ASSISTANCE”;

(2) by striking “The Administrator” and inserting “(1) The Administrator”; and

(3) by adding at the end the following new paragraph:

“(2) The Administrator is authorized to assist the Nation’s fire services, directly or through contracts, grants, or other forms of assistance, for activities and equipment to improve fire prevention and control in the wildland-urban interface.”

(b) DISSEMINATION.—Section 8 of such Act (15 U.S.C. 2207) is amended by adding at the end the following new subsection:

“(h) DISSEMINATION.—Beginning 1 year after the date of the enactment of the United States Fire Administration Reauthorization Act of 2008, the Administrator, in collaboration with the relevant departments and agencies of the Federal Government, shall make available to the public information regarding United States Fire Administration funded activities to advance new knowledge and best practices in firefighting, through a regularly updated Internet database.”

SEC. 7. ENCOURAGING ADOPTION OF STANDARDS FOR FIREFIGHTER HEALTH AND SAFETY.

The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by adding at the end the following new section:

“SEC. 37. ENCOURAGING ADOPTION OF STANDARDS FOR FIREFIGHTER HEALTH AND SAFETY.

“The Administrator shall promote adoption by fire services of national voluntary consensus standards for firefighter health and safety, including such standards for firefighter operations, training, staffing, and fitness, by educating fire services about such standards, encouraging the adoption at all levels of government of such standards, and making recommendations on other ways in which the Federal government can promote the adoption of such standards by fire services.”

SEC. 8. COORDINATION REGARDING FIRE SERVICE-BASED EMERGENCY MEDICAL SERVICES.

(a) IN GENERAL.—Section 21(e) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2218(e)) is amended to read as follows:

“(e) COORDINATION.—

“(1) IN GENERAL.—To the extent practicable, the Administrator shall utilize existing programs, data, information, and facilities already available in other Federal Government departments and agencies and, where appropriate, existing research organizations, centers, and universities.

“(2) COORDINATION OF FIRE PREVENTION AND CONTROL PROGRAMS.—The Administrator shall provide liaison at an appropriate organizational level to assure coordination of the Administrator’s activities with State and local government agencies, departments, bureaus, or offices concerned with any matter related to programs of fire prevention and control with private and other Federal organizations and offices so concerned.

“(3) COORDINATION OF FIRE SERVICE-BASED EMERGENCY MEDICAL SERVICES PROGRAMS.—The Administrator shall provide liaison at an appropriate organizational level to assure coordination of the Administrator’s activities with State and local government agencies, departments, bureaus, or offices concerned with programs related to emergency medical services provided by fire service-based systems with private and other Federal organizations and offices so concerned.”.

(b) FIRE SERVICE-BASED EMERGENCY MEDICAL SERVICES BEST PRACTICES.—Section 8(c) of such Act (15 U.S.C. 2207(c)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) The Administrator is authorized to conduct, directly or through contracts or grants, studies of the operations and management aspects of fire service-based emergency medical services and coordination between emergency medical services and fire services. Such studies may include the optimum protocols for on-scene care, the allocation of resources, and the training requirements for fire service-based emergency medical services.”.

SEC. 9. DEFINITIONS.

Section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203) is amended—

(1) in paragraph (3), by striking “Administration” and inserting “Administration, who is the Assistant Administrator of the Federal Emergency Management Agency”;

(2) in paragraph (7), by striking “and” after the semicolon;

(3) in paragraph (8), by striking the period at the end and inserting “; and”;

(4) by redesignating paragraphs (6), (7), and (8) as paragraphs (7), (8), and (9), respectively;

(5) by inserting after paragraph (5) the following new paragraph:

“(6) ‘hazardous materials’ has the meaning given such term in section 5102(2) of title 49, United States Code;”;

(6) by adding at the end the following new paragraph:

“(10) ‘wildland-urban interface’ has the meaning given such term in section 101(16) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(16)).”.

PART B: TEXT OF AMENDMENTS TO BE MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PASCRELL OF NEW JERSEY, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, strike lines 23 through 25 and insert the following new paragraph:

- (1) by amending subparagraph (H) to read as follows:
 “(H) response, tactics, and strategies for dealing with national catastrophes, including terrorist-caused national catastrophes and incidents that involve weapons of mass destruction;”;

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SALI OF IDAHO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, line 24, strike “section” and insert “sections”.
 Page 10, after line 11, insert the following:

“SEC. 38. TRAINING AGENCIES ON IMPORTANCE OF CLEARING BIOMASS IN WILDLAND AREAS TO PROMOTE FIREFIGHTER SAFETY.

“In collaboration with the relevant departments and agencies of the Federal Government, the Administrator shall develop and provide information and training to relevant departments and agencies of the Federal Government on the importance of clearing biomass in wildland areas of Federal lands to promote the safety of firefighters.”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANGEVIN OF RHODE ISLAND, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new section:

SEC. 10. SUPPORTING THE ADOPTION OF FIRE SPRINKLERS.

Congress supports the recommendations of the United States Fire Administration regarding the adoption of fire sprinklers in commercial buildings and educational programs to raise awareness of the importance of installing fire sprinklers in residential buildings.